

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:06CR52**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>Vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>DAVID WILLIAM GRAHAM.</b>	)	
	)	

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**THIS CAUSE** coming on to be heard and being heard before the undersigned upon a document filed by the defendant on November 7, 2006 which the undersigned has considered as a request that the court make an inquiry into issues of discovery and access to discovery of the defendant. It appearing to the court at the call of this matter on for hearing that the defendant was present with counsel, Jason Hayes, and that the Government was present through Assistant United States Attorney, Jill Rose, and after hearing from the Government that it was the policy of the Government to require that counsel agree not to disclose or provide copies of documents produced in discovery to defendants due to concerns of safety for various witnesses or court personnel. After the defendant heard the explanation of the Government, the defendant advised the court that he was satisfied with the discovery that had been produced. His counsel advised the court that he would go over all discovery with the defendant and the defendant thereupon advised the court that he was satisfied with his counsel.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the motion (#12) filed by the defendant is hereby **DISMISSED** as being “moot”.

Signed: November 21, 2006

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

